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6 *Counsel for Shelley D. Krohn, Chapter 7 Trustee*

7  
8 **UNITED STATES BANKRUPTCY COURT**  
9 **DISTRICT OF NEVADA**

10 In re:  
11 AMERI-DREAM REALTY, LLC,  
12 Debtor.

Case No. BK-S-15-10110-GS  
Chapter 7

**TRUSTEE’S NINTH OMNIBUS  
OBJECTION TO PROOFS OF CLAIM  
PURSUANT TO 11 U.S.C. § 502(b)(1) AND  
FEDERAL RULE OF BANKRUPTCY  
PROCEDURE 3007—CLAIM NUMBERS  
6-1, 7-1, 15-1, 18-1, 32-1, 34-1, 40-1, 41-1,  
49-1, 59-1, 60-1, 72-1, 83-1, 86-1, 87-1, 97-1,  
113-1, 115-1, 118-1, 119-1, 123-1, 128-1, 163-  
1, 231-1, 292-1, 293-1, 296-1, 338-1, 527-1,  
612-1, 704-1, 813-1, 815-1, 833-1, 834-1,  
914-1, 921-1, 924-1, 929-1, AND 930-1,  
BASED ON DUPLICATE CLAIMS FILED  
BY BOTH A LANDLORD AND A  
TENANT FOR A SECURITY DEPOSIT**

Date of Hearing: September 15, 2020  
Time of Hearing: 9:30 a.m.  
Place: Courtroom No. To Be Determined  
Foley Federal Building  
300 Las Vegas Blvd., S.  
Las Vegas, NV 89101

Judge: Honorable Gary Spraker

25 Shelley D. Krohn (the “Trustee”), the duly appointed Chapter 7 Trustee in the above-  
26 captioned bankruptcy case, by and through her counsel of record, Jacob L. Houmand, Esq. and  
27 Bradley G. Sims, Esq. of the Houmand Law Firm, Ltd., hereby submits the *Trustee’s Ninth*  
28 *Omnibus Objection To Proofs Of Claim Pursuant To 11 U.S.C. § 502(b)(1) and Federal Rule of*

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1 *Bankruptcy Procedure 3007—Claim Numbers 6-1, 7-1, 15-1, 18-1, 32-1, 34-1, 40-1, 41-1, 49-1,*  
2 *59-1, 60-1, 72-1, 83-1, 86-1, 87-1, 97-1, 113-1, 115-1, 118-1, 119-1, 123-1, 128-1, 163-1, 231-1,*  
3 *292-1, 293-1, 296-1, 338-1, 527-1, 612-1, 704-1, 813-1 , 815-1, 833-1, 834-1, 914-1, 921-1, 924-*  
4 *1, 929-1, and 930-1 Based on Duplicate Claims Filed by Both a Landlord and a Tenant for A*  
5 *Security Deposit (the “Objection”). The Objection is based on the following Memorandum of*  
6 *Points and Authorities and the Declaration of Shelley D. Krohn In Support of Trustee’s Ninth*  
7 *Omnibus Objection To Proofs Of Claim Pursuant To 11 U.S.C. § 502(b)(1) and Federal Rule of*  
8 *Bankruptcy Procedure 3007—Claim Numbers 6-1, 7-1, 15-1, 18-1, 32-1, 34-1, 40-1, 41-1, 49-1,*  
9 *59-1, 60-1, 72-1, 83-1, 86-1, 87-1, 97-1, 113-1, 115-1, 118-1, 119-1, 123-1, 128-1, 163-1, 231-1,*  
10 *292-1, 293-1, 296-1, 338-1, 527-1, 612-1, 704-1, 813-1 , 815-1, 833-1, 834-1, 914-1, 921-1, 924-*  
11 *1, 929-1, and 930-1, Based on Duplicate Claims Filed by Both a Landlord and a Tenant for A*  
12 *Security Deposit (the “Trustee Declaration”), which is filed separately and concurrently with this*  
13 *Court pursuant to Local Rule 9014(c)(2).<sup>1</sup> The Objection is also based on the pleadings and*  
14 *papers on file herein, and any argument that may be entertained at the hearing on the Objection.<sup>2</sup>*

15 **In accordance with FRBP 3007(e)(1), the Trustee directs all claimants receiving this**  
16 **objection to locate their names and claims in this objection.**

17 ...  
18 ...  
19 ...  
20 ...  
21 ...  
22 ...

23 \_\_\_\_\_  
24 <sup>1</sup> Unless otherwise indicated, all chapter and section references are to the Bankruptcy Code, 11  
25 U.S.C. §§ 101-1532, and to the Federal Rules of Bankruptcy Procedure, Rules 1001-9037. The  
26 Federal Rules of Civil Procedure will be referred to as “FRCP” and the Federal Rules of  
Bankruptcy Procedure will be referred to as “FRBP.” The Local Rules of Practice for the United  
States Bankruptcy Court for the District of Nevada shall be referred to as the “Local Rules”.

27 <sup>2</sup> The Trustee also requests that the Court take judicial notice of all pleadings filed in the above-  
28 referred bankruptcy case, including adversary proceedings, pursuant to Federal Rule of  
Evidence 201, incorporated by reference by FRBP 9017.

**MEMORANDUM OF POINTS AND AUTHORITIES**

**I. INTRODUCTION**

Ameri-Dream Realty, LLC (the “Debtor”) was a real estate brokerage firm that represented clients in the purchase and sale of real property throughout Clark County, Nevada. The Debtor also had a property management division that managed over one thousand real properties located throughout the valley. As part of its property management division, the Debtor executed real property management agreements (collectively, the “Property Management Agreements”) with landowners whereby the Debtor agreed to perform various services including: (a) the monthly collection of rents from tenants, (b) payment of Homeowner Association fees, (c) the general repair and maintenance of the properties at issue, and (d) the segregation of security deposits (the “Security Deposits”) pursuant to Nevada Revised Statute (“N.R.S.”) Chapter 645. Despite the fact that the Debtor was required to maintain the Security Deposits in a segregated trust account for the benefit of the various landowners and tenants (the “Security Deposit Trust Account”), the Trustee is informed and believes that the spouse of the Debtor’s principal, John Brown, embezzled approximately One Million One Hundred Thousand Dollars (\$1,100,000) of the Security Deposits. As a result, there was an insufficient balance in the Security Deposit trust account at the time of the Debtor’s bankruptcy filing to cover the full amount of the Security Deposits that are required to be segregated pursuant to the Property Management Agreements.

Since the Debtor’s bankruptcy case was classified as a “mega case” due to the number of creditors, the Trustee employed Garden City Group, LLC (“GCG”) to act as claims administrator. Since its employment, GCG has been maintaining providing notice to creditors and parties-in-interest when required by the notice procedures under FRBP 2002, as modified by this Court<sup>3</sup>, and collecting and maintaining the proofs of claim that have been filed in the Debtor’s bankruptcy case. After conducting a thorough review of the approximately 970 proofs of claim that have been filed, the Trustee has determined that numerous proofs of claim have been filed by landlords and

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<sup>3</sup> On February 20, 2015, the Court entered an *Order Granting Application for Order Limiting Notice and Memorandum of Points and Authorities In Support Thereof* [ECF No. 121], which allowed the Trustee to only serve the parties on an “Official Service List” when notice was otherwise required to be given to all creditors, including under FRBP 2002(a), (b), and (f).

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1 tenants that relate to the same unpaid security deposit.

2 This Omnibus Objection relates to a series of claims arising out of security deposits paid  
 3 by tenants for the rental or lease of real property. This objection pertains to instances where both  
 4 the tenant and the landlord have filed a claim related to the security deposit for the various  
 5 properties (the “Tenant Claims” and the “Landlord Claims”, respectively). The Trustee now seeks  
 6 an order disallowing the tenant claims as duplicates of the landlord claims.

7 **II. JURISDICTION AND VENUE**

8 This Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1134. This  
 9 is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(A). Venue before this Court is appropriate  
 10 under 28 U.S.C. §§ 1408 and 1409. This matter constitutes a core proceeding under 28 U.S.C. §  
 11 157(b)(2). Pursuant to Local Rule 9014.2, if the Court determines that absent consent of the  
 12 parties the Court cannot enter final orders or judgment regarding the Objection consistent with  
 13 Article III of the United States Constitution, the Firm consents to entry of final orders and  
 14 judgment by this Court. The statutory basis for the relief sought herein are Section 502(b)(1) and  
 15 FRBP 3007.

16 **II. CLAIMS OBJECTED TO IN THIS OMNIBUS OBJECTION**

17 In accordance with FRBP 3007(e)(2) and (3) the following proofs of claim are objected to  
 18 herein:

Claimant	Proof of Claim No.	Grounds for objection <sup>4</sup>
Bell, April and Kenneth	60-1	Claim is a duplicate of Claim 446-1. <i>See</i> p. 24-26.
Blankenship, Allen	930-1	Claim is a duplicate of Claim 607-1. <i>See</i> p. 24-26.
Brown, Marsalis and Susie Haduca	72-1	Claim is a duplicate of Claim 252-1. <i>See</i> p. 24-26.

26  
 27  
 28 <sup>4</sup> Unless otherwise stated, page references are to the page within this Objection stating the legal argument for the objection.

1	Campo, Deborah	924-1	Claim is a duplicate of Claim 420-1. <i>See</i> p. 24-26.
2			
3	Cloud, Dusty and Stacy	15-1	Claim is a duplicate of Claim 545-1. <i>See</i> p. 24-26.
4			
5	Coleman, Andrea	115-1	Claim is a duplicate of Claim 599-1. <i>See</i> p. 24-26.
6			
7	Curry, Susie M.	704-1	Claim is a duplicate of Claim 666-1. <i>See</i> p. 24-26.
8	Harrison		
9	Dang, Nhi	338-1	Claim is a duplicate of Claim 9-1. <i>See</i> p. 24-26.
10	David, Ludovico L and		Claim is a duplicate of Claim 392-1. <i>See</i> p. 24-26.
11	Hazel S.	97-1	
12	Davis, Edward	86-1	Claim is a duplicate of Claim 463-1. <i>See</i> p. 24-26.
13			
14	Ganci, Patrick	41-1	Claim is a duplicate of Claim 349-1. <i>See</i> p. 24-26.
15			
16	Gonzales, Luwona and		Claim is a duplicate of Claim 581-1. <i>See</i> p. 24-26.
17	Michael Damm	833-1	
18			
19	Hall, Sandra	6-1	Claim is a duplicate of claims 401-1. <i>See</i> p. 24-26.
20			
21	Harper, Herman	929-1	Claim is a duplicate of Claim 464-1. <i>See</i> p. 24-26.
22			
23	Horn, Elizabeth	49-1	Claim is a duplicate of Claim 129-2. <i>See</i> p. 24-26.
24			
25	Ines, Reynold & Racquel	118-1	Claim is a duplicate of Claim 120-1. <i>See</i> p. 24-26.
26			
27	Ines, Reynold & Racquel	119-1	Claim is a duplicate of Claim 120-1. <i>See</i> p. 24-26.
28			

1	Johnson, Karen	231-1	Claim is a duplicate of Claim 376-1. <i>See</i> p. 24-
2	Elizabeth		26.
3	Karn, Nancy	163-1	Claim is a duplicate of Claim 817-1. <i>See</i> p. 24-
4			26.
5	King, Chad and Debbie	7-1	Claim is a duplicate of Claim 90-1. <i>See</i> p. 24-
6			26.
7	Kreutzman, Shawn and	32-1	Claim is a duplicate of claims 401-1. <i>See</i> p. 24-
8	Rhonda Van Anrtwerp		26.
9	Kubik, Kathy Marie	113-1	Claim is a duplicate of Claim 585-1. <i>See</i> p. 24-
10			26.
11	Lawrence, Janet	87-1	Claim is a duplicate of Claim 233-1. <i>See</i> p. 24-
12			26.
13	Macias, Joseph	612-1	Claim is a duplicate of Claim 694-1. <i>See</i> p. 24-
14			26.
15	Maeker, Barbara	527-1	Claim is a duplicate of Claim 307-1. <i>See</i> p. 24-
16			26.
17	Martell, Natasha	40-1	Claim is a duplicate of Claim 736-1. <i>See</i> p. 24-
18			26.
19	Martell, Natasha	83-1	Claim is a duplicate of Claim 736-1. <i>See</i> p. 24-
20			26.
21	Mathews, Jeffrey	293-1	Claim is a duplicate of Claim 394-1. <i>See</i> p. 24-
22			26.
23	McCullough, Robert B.	59-1	Claim is a duplicate of Claim 466-1. <i>See</i> p. 24-
24	and Joan C.		26.
25	McCullough		
26	McGraw, Patricia	815-1	Claim is a duplicate of Claim 579-1. <i>See</i> p. 24-
27			26.
28			

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1	Morrone, James A. and	292-1	Claim is a duplicate of Claim 172-1. <i>See</i> p. 24-
2	Linda L.		26.
3	Ownby, Christopher	123-1	Claim is a duplicate of Claim 194-1. <i>See</i> p. 24-
4	and Kristin		26.
5	Phillips, Lawrence R.	34-1	Claim is a duplicate of Claim 466-1. <i>See</i> p. 24-
6			26.
7	Ramos, Clint	813-1	Claim is a duplicate of Claim 440-1. <i>See</i> p. 24-
8			26.
9	Regnaert, Craig	296-1	Claim is a duplicate of Claim 240-1. <i>See</i> p. 24-
10			26.
11	Rodacker, Christopher	921-1	Claim is a duplicate of Claim 387-1. <i>See</i> p. 24-
12			26.
13	Shamo, Stephanie	914-1	Claim is a duplicate of Claim 717-1. <i>See</i> p. 24-
14			26.
15	Swayne, Phylus	834-1	Claim is a duplicate of Claim 27-1. <i>See</i> p. 24-
16			26.
17	Taylor, Leonard and	18-1	Claim is a duplicate of Claim 785-1. <i>See</i> p. 24-
18	Anna Shipp		26.
19	Winters, Willie Jr.	128-1	Claim is a duplicate of Claim 391-1. <i>See</i> p. 24-
20			26.
21			
22	...		
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**III. STATEMENT OF FACTS**

1  
2 1. On January 9, 2015 (the “Petition Date”), the Debtor filed a voluntary bankruptcy  
3 pursuant to Chapter 7 of Title 11 of the United States Code [ECF No. 1]<sup>5</sup>.

4 2. On January 9, 2015, Victoria L. Nelson (“Trustee Nelson”) was appointed as the  
5 Chapter 7 Trustee in the Debtor’s bankruptcy case [ECF No. 4].

6 3. On January 28, 2015, the Court entered an *Amended Notice of Chapter 7*  
7 *Bankruptcy Case* [ECF No. 12] that established May 14, 2015, as the deadline for creditors to file  
8 proofs of claim.

9 4. On February 9, 2015, Trustee Nelson filed an *Application for Order Authorizing*  
10 *Employment of the Garden City Group, LLC As Claims and Noticing Agent* [ECF No. 88].

11 5. On February 27, 2015, the Court entered an *Order Granting Application for Order*  
12 *Authorizing Employment of the Garden City Group, LLC As Claims and Noticing Agent* [ECF No.  
13 128].

14 6. Since its employment, GCG has been maintaining the Proofs of Claim that have  
15 been submitted by creditors.

16 7. On January 13, 2018, Trustee Nelson died.

17 8. On January 19, 2018, the Trustee was appointed as the successor Chapter 7 Trustee  
18 in the Debtor’s bankruptcy case.

19 9. On February 2, 2015, Sandra A. Hall filed a claim asserting an unsecured claim in  
20 the amount of \$1,425.00 based on a security deposit for rental of real property described as 5042  
21 Vista Loma Way, North Las Vegas, NV 89031. The attached lease agreement identifies Sandra A.  
22 Hall as the tenant, and Zhuging Ren and Jingyuan Luo as the landlords.

23 10. On February 17, 2015, Shawn Kreutzman and Rhonda Van Anrtwerp filed a claim  
24 which did not specify the secured status of the claim, but did check the box indicating priority  
25 was sought for the claim up to \$2,775.00 under 11 U.S.C. § 507(a)(7). The proof of claim lists the  
26 basis of the claim as a security deposit for real property described as 5029 Bayberry Crest St.,  
27

28 <sup>5</sup> All references to “ECF No.” are to the numbers assigned to the documents filed in the case as they appear on the docket maintained by the clerk of the court.



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1 North Las Vegas, NV 89031. An attached lease agreement lists Zhu Qing Ren and Jing Yuan Luo  
2 as landlords and Shawn Michael Kreutzman and Rhonda S. Vanantwerp as tenants.

3 11. On May 8, 2015, Zhuqing Ren and Jingyuan Luo filed a claim in the amount of  
4 \$3,890.00 arising out of two security deposits for rental of real property described as 5029  
5 Bayberry Crest St., North Las Vegas, NV 89031 and 5042 Vista Loma Way, North Las Vegas,  
6 NV 89031. The attached lease agreements identify Zhuging Ren and Jing Yuan Luo as the  
7 landlords and Sandra A. Hall, Rhonda S. Vanantwerp, and Shawn Michael Kreutzman and as the  
8 Tenants. True and correct copies of Claims 6-1, 32-1, and 401-1 are attached to the Trustee  
9 Declaration as **Exhibit “1”**, **Exhibit “2”**, and **Exhibit “3”**, respectively.

10 12. On February 2, 2015, Chad and Debbie King filed a claim claiming priority under  
11 11 U.S.C. § 507(a)(7) in the amount of \$3,818.00 based on deposit toward purchase, lease or  
12 rental of real property described as 6840 Pacific Echo Court. On March 17, 2015, Annette Jian  
13 Zheng filed a separate claim claiming priority under 11 U.S.C. § 507(a)(7) in the amount of  
14 \$1,900.00 based on deposit toward purchase, lease or rental of real property described as 6840  
15 Pacific Echo Court. On March 17, 2015. An attached lease agreement identifies the tenants as  
16 Chad and Debbie King, and the landlord as Annette Jian Zheng. True and correct copies of  
17 Claims 7-1 and 90-1 are attached to the Trustee Declaration as **Exhibit “4”** and **Exhibit “5”**,  
18 respectively.

19 13. On February 6, 2015, Dusty and Stacy Cloud filed a claim asserting an unsecured  
20 claim in the amount of \$1,750.00 based on a security deposit for rental of real property described  
21 as 6886 Treble Clef Ave., Las Vegas, NV 89139. On May 11, 2015, Jie Zhu filed a separate claim  
22 claiming priority under 11 U.S.C. § 507(a)(7) in the amount of \$1,750.00 based on deposit toward  
23 purchase, lease or rental of real property described as 6886 Treble Clef Ave., Las Vegas, NV  
24 89139. An attached lease agreement identifies Jie Zhu as the landlord and Dusty Ray Cloud and  
25 Stacy Cloud as the tenants. True and correct copies of Claims 15-1 and 545-1 are attached to the  
26 Trustee Declaration as **Exhibit “6”** and **Exhibit “7”**, respectively.

27 14. On February 9, 2015, Leonard Taylor and Anna Shipp filed a claim claiming  
28 priority under 11 U.S.C. § 507(a)(7) in the amount of \$1,970.00 based on a deposit toward

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1 purchase, lease or rental of real property described as 9469 Forbes Field Ct., Las Vegas, NV  
2 89148. On May 13, 2015, Huang Guang Nie filed a separate claim claiming priority under 11  
3 U.S.C. § 507(a)(7) in the amount of \$1,600.00 based on deposit toward purchase, lease or rental  
4 of real property described as 9469 Forbes Field Ct., Las Vegas, NV 89148. An attached lease  
5 agreement identifies the tenants as Leonard Taylor and Anna Shipp, and the landlord as Nie  
6 Huang Guang. True and correct copies of Claims 18-1 and 785-1 are attached to the Trustee  
7 Declaration as **Exhibit “8”** and **Exhibit “9”**, respectively.

8 15. On February 18, 2015, Lawrence R. Phillips filed a claim claiming priority under  
9 11 U.S.C. § 507(a)(7) in the amount of \$1,795.00 based on deposit toward purchase, lease or  
10 rental of real property described as 8005 Reale Cir., Las Vegas, NV 89145. An attached lease  
11 agreement lists Jing Chou Li and Lucy Xi Luo as landlords and Lawrence R. Phillips as tenant.  
12 On May 8, 2015, Jing Chou Li and Lucy Xi Luo filed a separate claim in the amount of  
13 \$39,645.67 based on several security deposits toward lease or rental of real property. Included in  
14 the attached lease agreements is an agreement for real property described 8005 Reale Cir., Las  
15 Vegas, NV 89145 and lists Jing Chou Li and Lucy Xi Luo as landlords and Lawrence Phillips as  
16 tenant. True and correct copies of Claims 34-1 and 466-1 are attached to the Trustee Declaration  
17 as **Exhibit “10”** and **Exhibit “11”**, respectively.

18 16. On February 25, 2015, Natasha Martell filed a claim claiming priority under 11  
19 U.S.C. § 507(a)(7) in the amount of \$1,845.00 based on deposit toward purchase, lease or rental  
20 of real property described as 5393 Bristol Bend Ct., Las Vegas, NV 89135. An attached lease  
21 agreement lists Ya Qing Zhang as landlord and Chad David Martell and Natasha Martell as  
22 tenants. On March 11, 2015, Natasha Martell filed a second claim claiming priority under 11  
23 U.S.C. § 507(a)(7) in the amount of \$1,845.00 based on deposit toward purchase, lease or rental  
24 of real property described as 5393 Bristol Bend Ct., Las Vegas, NV 89135. An attached lease  
25 agreement again lists Ya Qing Zhang as landlord and Chad David Martell and Natasha Martell as  
26 tenants. On May 12, 2015, Ya Qing Zhang filed a separate claim claiming priority under 11  
27 U.S.C. § 507(a)(7) in the amount of \$1,770.00 based on deposit toward purchase, lease or rental  
28 of real property described as 5393 Bristol Bend Ct., Las Vegas, NV 89135. An attached lease

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1 agreement lists Ya Qing Zhang as landlord and Chad David Martell and Natasha Martell as  
2 tenants. True and correct copies of Claims 40-1, 83-1, and 736-1 are attached to the Trustee  
3 Declaration as **Exhibit “12”**, **Exhibit “13”** and **Exhibit “14”**, respectively.

4 17. On February 26, 2015, Patrick Ganci filed a claim claiming priority under 11  
5 U.S.C. § 507(a)(7) in the amount of \$3,070.00 based on deposit toward purchase, lease or rental  
6 of real property described as 10407 Timber Star Ln., Las Vegas, NV 89135. An attached lease  
7 agreement lists Asrock Pro, LLC as landlord and Patrick Ryan Ganci and Kelly Nicole Kline as  
8 tenants. On May 8, 2015, Asrock Pro, LLC filed a separate claim in the amount of \$36,735.00  
9 based on several security deposits toward lease or rental of real property. Included in the attached  
10 lease agreements was an agreement for real property described as 10407 Timber Star Ln., Las  
11 Vegas, NV 89135 and lists Asrock Pro, LLC as landlord and Patrick Ryan Ganci and Kelly  
12 Nicole Kline as tenants. True and correct copies of Claims 41-1 and 349-1 are attached to the  
13 Trustee Declaration as **Exhibit “15”** and **Exhibit “16”**, respectively.

14 18. On March 6, 2015, Marsalis Brown and Susie Haduca filed a claim asserting a  
15 secured claim in the amount of \$5,355, and claiming priority under 11 U.S.C. § 507(a)(7) in the  
16 amount of \$5,355.00 based on deposit toward purchase, lease or rental of real property described  
17 as 10952 Prairie Grove Rd., Las Vegas NV 89179. The attached lease agreement identified  
18 Marsalis Brown and Susie Haduca as the tenants, and Xiangyu, LLC as the landlord. On May 1,  
19 2015, Xiangyu, LLC filed a separate claim claiming priority under 11 U.S.C. § 507(a)(7) in the  
20 amount of \$1,745.00 based on deposit toward purchase, lease or rental of real property described  
21 as 10952 Prairie Grove Rd., Las Vegas NV 89179. True and correct copies of Claims 72-1 and  
22 252-1 are attached to the Trustee Declaration as **Exhibit “17”** and **Exhibit “18”**, respectively.

23 19. On March 13, 2015, Janet Lawrence filed a claim claiming priority under 11  
24 U.S.C. § 507(a)(7) in the amount of \$1,475.00 based on deposit toward purchase, lease or rental  
25 of real property described as 5914 Creekside Sands Lane, North Las Vegas, NV, 89011. The  
26 attached lease agreement identified Janet Lawrence as tenant, and Wu Wang as the landlord. On  
27 April 29, 2015, Wu Wang filed a separate claim claiming priority under 11 U.S.C. § 507(a)(7) in  
28 the amount of \$16,989.50 based on deposit toward purchase, lease or rental of various real

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1 properties, including real property described as 5914 Creekside Sands Lane, North Las Vegas,  
2 NV, 89011. True and correct copies of Claims 87-1 and 233-1 are attached to the Trustee  
3 Declaration as **Exhibit “19”** and **Exhibit “20”**, respectively.

4 20. On March 13, 2015, Edward Davis filed a claim claiming priority under 11 U.S.C.  
5 § 507(a)(7) in the amount of \$1,300.00 based on deposit toward purchase, lease or rental of real  
6 property described as 62 E. Serene Ave #128., Las Vegas, NV 89123. On May 8, 2015, Tuli  
7 Gurvidner filed a separate claim in the amount of \$5,280.00 based on several security deposits  
8 toward lease or rental of real property. Included in the attached lease agreements was an  
9 agreement for real property described as 62 E. Serene Ave #128., Las Vegas, NV 89123 and lists  
10 Gurvinder Tuli as landlord and Eduard Davis as tenant. True and correct copies of Claims 86-1  
11 and 463-1 are attached to the Trustee Declaration as **Exhibit “21”** and **Exhibit “22”**,  
12 respectively.

13 21. On March 20, 2015, Ludovico L and Hazel S. David filed a claim claiming priority  
14 under 11 U.S.C. § 507(a)(7) in the amount of \$4,148.00 based on deposit toward purchase, lease  
15 or rental of real property described as 8067 Mesquite Ranch St. Las Vegas, NV 89113. On May 8,  
16 2015, Thomas Ting Kwan and Anna L. Kwang filed a separate claim in the amount of \$1,825.00  
17 based on a security deposit for rental of real property described as 8067 Mesquite Ranch St. Las  
18 Vegas, NV 89113. An attached lease agreement identifies the tenants as Ludovico L David and  
19 Hazel S. David, and the landlord as Kwan Family Trust, Thomas Ting and Anna L. Kwan TRS.  
20 True and correct copies of Claims 97-1 and 392-1 are attached to the Trustee Declaration as  
21 **Exhibit “23”** and **Exhibit “24”**, respectively.

22 22. On March 26, 2015, Kathy Marie Kubik filed a claim claiming priority under 11  
23 U.S.C. § 507(a)(7) in the amount of \$3,070.00 based on deposit toward purchase, lease or rental  
24 of real property described as 7654 Pioneer Ranch Ave., Las Vegas, NV 89113. An attached lease  
25 agreement lists Jin Zhu Huang Mar and Chun Kit Mar as landlord and Kathy Marie Kubik as  
26 tenant. On May 11, 2015, Jin Zhu Huang Mar and Chun Kit Mar filed a separate claim in the  
27 amount of \$3,275.00 based on a security deposit for rental of real property described as 7654  
28 Pioneer Ranch Ave., Las Vegas, NV 89113. An attached lease agreement identifies Jin Zhu

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1 Huang Mar and Chun Kit Mar as landlord and Kathy Marie Kubik as tenant. True and correct  
2 copies of Claims 113-1 and 585-1 are attached to the Trustee Declaration as **Exhibit “25”** and  
3 **Exhibit “26”**, respectively.

4 23. On March 27, 2015, Andrea Coleman filed a claim claiming priority under 11  
5 U.S.C. § 507(a)(7) in the amount of \$2,775.00 based on deposit toward purchase, lease or rental  
6 of real property described as 4425 Whistling Duck, Las Vegas, NV 89115. An attached lease  
7 agreement lists Chuck D. Chiou and Yu S. Chiou as landlord and Andrea Coleman as tenant. On  
8 May 11, 2015, Chuck D. Chiou and Yu S. Chiou filed a separate claim in the amount of  
9 \$3,075.00 based on a security deposit for rental of real property described as 4425 Whistling  
10 Duck, Las Vegas, NV 89115. An attached lease agreement lists Chuck D. Chiou and Yu S. Chiou  
11 as landlord and Andrea Coleman as tenant. True and correct copies of Claims 115-1 and 599-1 are  
12 attached to the Trustee Declaration as **Exhibit “27”** and **Exhibit “28”**, respectively.

13 24. On March 30, 2015, Reynold & Racquel Ines filed a claim claiming priority under  
14 11 U.S.C. § 507(a)(7) in the amount of \$1,450.00 based on deposit toward purchase, lease or  
15 rental of real property described as 189 Belmont Canyon Place, Las Vegas, NV 89015. An  
16 attached lease agreement lists Yafei Zhu and Gary Hawkins as landlord and Reynold & Racquel  
17 Ines as tenants. On March 30, 2015, Reynold & Racquel Ines filed a second claim claiming  
18 priority under 11 U.S.C. § 507(a)(7) in the amount of \$1,450.00 based on deposit toward  
19 purchase, lease or rental of real property described as 189 Belmont Canyon Place, Las Vegas, NV  
20 89015. An attached lease agreement again lists Yafei Zhu and Gary Hawkins as landlord and  
21 Reynold & Racquel Ines as tenants. On March 30, 2015, Gary Hawkins filed a claim asserting in  
22 the amount of \$1,450.00 based on a security deposit for real property described as 189 Belmont  
23 Canyon Place, Las Vegas, NV 89015. An attached lease agreement lists Yafei Zhu and Gary  
24 Hawkins as landlord and Reynold & Racquel Ines as tenants. True and correct copies of Claims  
25 118-1, 119-1, and 120-1 are attached to the Trustee Declaration as **Exhibit “29”**, **Exhibit “30”**,  
26 and **Exhibit “31”**, respectively.

27 25. On March 31, 2015, Christopher and Kristin Ownby filed a claim claiming priority  
28 under 11 U.S.C. § 507(a)(7) in the amount of \$1,575.00 based on deposit toward purchase, lease

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1 or rental of real property described as 10573 Penns Creek Ct., Las Vegas, NV 89135. An attached  
2 lease agreement lists Shui Yu and Bo Tang as landlord and Christopher Stephen Ownby and  
3 Kristen David Ownby as tenants. On April 20, 2015, Bo Tang filed a separate claim claiming  
4 priority under 11 U.S.C. § 507(a)(7) in the amount of \$1,575.00 based on deposit toward  
5 purchase, lease or rental of real property described as 10573 Penns Creek Ct., Las Vegas, NV  
6 89135. An attached lease agreement lists Shui Yu and Bo Tang as landlord and Christopher  
7 Stephen Ownby and Kristen David Ownby as tenants. True and correct copies of Claims 123-1  
8 and 194-1 are attached to the Trustee Declaration as **Exhibit “32”** and **Exhibit “33”**,  
9 respectively.

10 26. On April 2, 2015, Elizabeth Horn filed a claim claiming priority under 11 U.S.C. §  
11 507(a)(7) in the amount of \$1,625.00 based on deposit toward purchase, lease or rental of real  
12 property described as 9630 Bighorn Ranch Ave., Las Vegas, NV 89148. An attached lease  
13 agreement lists Dongbin Zhang and Ziao Jun Wang as landlord and Elizabeth Horn as tenant. On  
14 April 13, 2015, Dongbin Zhang filed an amended claim claiming priority under 11 U.S.C. §  
15 507(a)(7) in the amount of \$1,675.00 based on deposit toward purchase, lease or rental of real  
16 property described as 9630 Bighorn Ranch Ave., Las Vegas, NV 89148. An attached lease  
17 agreement lists Dongbin Zhang and Ziao Jun Wang as landlord and Elizabeth Horn as tenant.  
18 True and correct copies of Claims 49-1 and 129-2 are attached to the Trustee Declaration as  
19 **Exhibit “34”** and **Exhibit “35”**, respectively.

20 27. On April 6, 2015, Willie Winters, Jr. filed a claim claiming priority under 11  
21 U.S.C. § 507(a)(7) in the amount of \$2,600.00 based on deposit toward purchase, lease or rental  
22 of real property described as 800 Trumpington Ct. On May 8, 2015, Julian Ho Ting Lam filed a  
23 separate claim in the amount of \$1,425.00 based on a security deposit for rental of real property  
24 described as 800 Trumpington Ct., Las Vegas, NV 89178. An attached lease agreement identifies  
25 the tenants as Willie R. Winters, Jr. and Rose S. Nabers, and the landlord as Julian Ho Ting Lam.  
26 True and correct copies of Claims 128-1 and 391-1 are attached to the Trustee Declaration as  
27 **Exhibit “36”** and **Exhibit “37”**, respectively.

28 . . .

1           28.     On April 14, 2015, Nancy Karn filed a claim claiming priority under 11 U.S.C. §  
2 507(a)(7) in the amount of \$1,230.00 based on deposit toward purchase, lease or rental of real  
3 property described as 7641 Tortolla Bay, Las Vegas, NV 89128. On May 14, 2015, Hsiu Chu  
4 Chen filed a separate claim claiming priority under 11 U.S.C. § 507(a)(7) in the amount of  
5 \$1,500.0 based on deposit toward purchase, lease or rental of real property described as 7641  
6 Tortolla Bay, Las Vegas, NV 89128. An attached lease agreement lists Hsiu Chu Chen as  
7 landlord and Nancy Karn as tenant. True and correct copies of Claims 163-1 and 817-1 are  
8 attached to the Trustee Declaration as **Exhibit “38”** and **Exhibit “39”**, respectively.

9           29.     On April 28, 2015, Karen Elizabeth Johnson filed a claim claiming priority under  
10 11 U.S.C. § 507(a)(7) in the amount of \$1,825.00 based on deposit toward purchase, lease or  
11 rental of real property described as 7632 Hope Valley St., Las Vegas NV 89139. The attached  
12 lease agreement identifies Jeffrey Craig Johnson and Karen Elizabeth Johnson as the tenants, and  
13 Lifang Tang as the landlord. On May 8, 2015, Lifang Tang filed a separate claim, claiming an  
14 unsecured claim of \$1,825.00. The attached documents indicate the basis of the claim is a security  
15 deposit based on a rental agreement for real property described as 7632 Hope Valley St., Las  
16 Vegas NV 89139. True and correct copies of Claims 231-1 and 376-1 are attached to the Trustee  
17 Declaration as **Exhibit “40”** and **Exhibit “41”**, respectively.

18           30.     On May 4, 2015, James A. and Linda L. Morrone filed a claim claiming priority  
19 under 11 U.S.C. § 507(a)(7) in the amount of \$2,045.00 based on deposit toward purchase, lease  
20 or rental of real property described as 233 Rusty Plank Ave., Las Vegas, NV 89148. An attached  
21 lease agreement identifies the tenants as James A. Morrone and Linda L. Morrone as tenants and  
22 the landlord as Bei Quan. On April 17, 2015, Bei Quan filed a separate claim asserting a secured  
23 claim in the amount of \$4,794.00, and a priority claim under 11 U.S.C. § 507(a)(7) in the amount  
24 of \$4,794.00 based on deposit toward purchase, lease or rental of real property described as 233  
25 Rusty Plank Ave., Las Vegas, NV 89148.<sup>6</sup> An attached lease agreement identifies the tenants as  
26 James A. Morrone and Linda L. Morrone as tenants and the landlord as Bei Quan. True and  
27

28 <sup>6</sup> Trustee will be filing a separate objection to the secured claim asserted in Proof of Claim 172-1.

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1 correct copies of Claims 292-1 and 172-1 are attached to the Trustee Declaration as **Exhibit “42”**  
2 and **Exhibit “43”**, respectively.

3 31. On May 5, 2015, Jeffrey Mathews filed a claim in the amount of \$1,625.00 based  
4 on a security deposit for rental of real property described as 8901 Sierra Linda Dr. Las Vegas, NV  
5 89147. On May 8, 2015, Mei Fei Cen filed a separate claim in the amount of in the amount of  
6 \$1,625.00 based on a security deposit for rental of real property described as 8901 Sierra Linda  
7 Dr. Las Vegas, NV 89147. An attached lease agreement lists Chek K. Miu and Mei F. Cen as  
8 landlords and Jeffrey W. Mathews and Christopher Williams Keit as tenants. True and correct  
9 copies of Claims 293-1 and 394-1 are attached to the Trustee Declaration as **Exhibit “44”** and  
10 **Exhibit “45”**, respectively.

11 32. On May 5, 2015, Craig Ronald Regnaert filed a claim claiming priority under 11  
12 U.S.C. § 507(a)(7) in the amount of \$2,250.00 based on deposit toward purchase, lease or rental  
13 of real property described as 3224 Cheltenham., Las Vegas, NV 89129. An attached lease  
14 agreement lists Richard M. Chaskin and Grace Feng as landlord and Craig Regnaert as tenant. On  
15 April 29, 2015, Richard M. Chaskin filed a separate claim claiming priority under 11 U.S.C. §  
16 507(a)(7) in the amount of \$2,250.00 based on deposit toward purchase, lease or rental of real  
17 property described as 3224 Cheltenham., Las Vegas, NV 89129. An attached lease agreement lists  
18 Richard M. Chaskin and Grace Feng as landlord and Craig Regnaert as tenant. True and correct  
19 copies of Claims 296-1 and 240-1 are attached to the Trustee Declaration as **Exhibit “46”** and  
20 **Exhibit “47”**, respectively.

21 33. On May 7, 2015, Nhi Dang filed a separate claim claiming priority under 11  
22 U.S.C. § 507(a)(7) in the amount of \$1,850.00 based on deposit toward purchase, lease or rental  
23 of real property described as 8000 W. Badura Ave. Unit 1146, Las Vegas NV 89113. On  
24 February 2, 2015, Mimi Wei Lin filed a claim claiming priority under 11 U.S.C. § 507(a)(7) in  
25 the amount of \$1,950.00 based on deposit toward purchase, lease or rental of real property  
26 described as 8000 W. Badura Ave. Unit 1146, Las Vegas NV 89113. The attached lease  
27 agreement identifies Nhi Dang as the tenant. True and correct copies of Claims 338-1 and 9-1 are  
28 attached to the Trustee Declaration as **Exhibit “48”** and **Exhibit “49”**, respectively.



1           34.     On May 11, 2015, April and Kenneth Bell filed a secured claim in the amount of  
2 \$1,925.00 based on a security deposit for rental of real property described as 9539 Colorado Blue  
3 St., Las Vegas, NV 89123. An attached lease agreement lists Yu Chan Bi and Jin Hui Xu as  
4 landlord and Kenneth and April Bell as tenants. On May 8, 2015, Yu Chan Bi filed a separate  
5 claim in the amount of \$1,925.00 based on a security deposit for rental of real property described  
6 as 9539 Colorado Blue St., Las Vegas, NV 89123. An attached lease agreement lists Yu Chan Bi  
7 and Jin Hui Xu as landlord and Kenneth and April Bell as tenants. True and correct copies of  
8 Claims 60-1 and 446-1 are attached to the Trustee Declaration as **Exhibit “50”** and **Exhibit “51”**,  
9 respectively.

10           35.     On May 11, 2015, Barbara Maeker filed a claim claiming priority under 11 U.S.C.  
11 § 507(a)(7) in the amount of \$2,057.00 based on deposit toward purchase, lease or rental of real  
12 property described as 5830 Wispy Wind St., Las Vegas, NV 89148. An attached lease agreement  
13 lists Alexandra Assets as landlord and Barbara Maeker and Sonya D. Padgett as tenants. On May  
14 6, 2015, Alexandra Assets, LLC filed a separate claim claiming priority under 11 U.S.C. §  
15 507(a)(7) in the amount of \$2,025.00 based on deposit toward purchase, lease or rental of real  
16 property described as 5830 Wispy Wind St., Las Vegas, NV 89148. An attached lease agreement  
17 identifies Alexandra Assets as landlord and Barbara Maeker and Sonya D. Padgett as tenants.  
18 True and correct copies of Claims 527-1 and 307-1 are attached to the Trustee Declaration as  
19 **Exhibit “52”** and **Exhibit “53”**, respectively.

20           36.     On May 11, 2015, Joseph Macias filed a claim claiming priority under 11 U.S.C. §  
21 507(a)(7) in the amount of \$1,525.00 based on deposit toward purchase, lease or rental of real  
22 property described as 3778 Narrow Leaf Way., Las Vegas NV 89147. The attached lease  
23 agreement identifies Joseph Macias as the tenant, and Dekang Deng as the landlord. On May 12,  
24 2015, Dekang Deng filed a separate claim, claiming an unsecured claim of \$1,525.00. The  
25 attached documents indicate the basis of the claim is a security deposit based on a rental  
26 agreement for real property described as 3778 Narrow Leaf Way., Las Vegas NV 89147, which  
27 lists Joseph Macias as tenant and Dekang Deng as the landlord. True and correct copies of  
28 Claims 612-1 and 694-1 are attached to the Trustee Declaration as **Exhibit “54”** and **Exhibit**

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1 “55”, respectively.

2 37. On May 11, 2015, Robert B. McCullough and Joan C. McCullough filed a claim  
3 claiming priority under 11 U.S.C. § 507(a)(7) in the amount of \$1,445.00 based on deposit toward  
4 purchase, lease or rental of real property described as 8740 Cremona Dr., Las Vegas, NV 89117.  
5 An attached lease agreement lists Jing Chou Li and Lucy Xi Luo as landlord and Robert  
6 McCullough and Joan McCullough as tenants. On May 8, 2015, Jing Chou Li and Lucy Xi Luo  
7 filed a separate claim in the amount of \$39,645.67 based on several security deposits toward lease  
8 or rental of real property. Included in the attached lease agreements is an agreement for real  
9 property described as 8740 Cremona Dr., Las Vegas, NV 89117 and which lists Jing Chou Li and  
10 Lucy Xi Luo as landlord and Robert McCullough and Joan McCullough as tenants. True and  
11 correct copies of Claims 59-1 and 466-1 are attached to the Trustee Declaration as **Exhibit “56”**  
12 and **Exhibit “57”**, respectively.

13 38. On May 12, 2015, Susie M. Harrison Curry filed a claim claiming priority under  
14 11 U.S.C. § 507(a)(7) in the amount of \$1,795.00 based on deposit toward purchase, lease or  
15 rental of real property described as 10116 Desert Wind Dr., Las Vegas NV 89144. The attached  
16 lease agreement identifies Susie M. Harrison Curry and Darrell Bernard Curry as the tenants, and  
17 Dengrong Yang as the landlord. On May 12, 2015, Dengrong Yang filed a separate claim,  
18 claiming an unsecured claim of \$1,795.00. The attached documents indicate the basis of the claim  
19 is a security deposit based on a rental agreement for real property described as 10116 Desert  
20 Wind Dr., Las Vegas NV 89144, which lists Susie M. Harrison Curry and Darrell Bernard Curry  
21 as tenant and Dengrong Yang as the landlord. True and correct copies of Claims 666-1 and 704-1  
22 are attached to the Trustee Declaration as **Exhibit “58”** and **Exhibit “59”**, respectively.

23 39. On May 14, 2015, Clint Ramos filed a claim claiming priority under 11 U.S.C. §  
24 507(a)(7) in the amount of \$2,520.00 based on deposit toward purchase, lease or rental of real  
25 property described as 5746 Empress Garden Ct., Las Vegas, NV 89148. An attached lease  
26 agreement lists Zhenze Lin as landlord and Clint B. Ramos and Ashlie Amanda Ramos as tenants.  
27 On May 8 2015, Zhenze Lin filed a a separate claim in the amount of \$2,520.00 based on a  
28 security deposit for rental of real property described as 5746 Empress Garden Ct., Las Vegas, NV

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1 89148.. An attached lease agreement lists Zhenze Lin as landlord and Clint B. Ramos and Ashlie  
2 Amanda Ramos as tenants. True and correct copies of Claims 813-1 and 440-1 are attached to the  
3 Trustee Declaration as **Exhibit “60”** and **Exhibit “61”**, respectively.

4 40. On May 14, 2015, Patricia McGraw filed a claim in the amount of \$2,400.00 based  
5 on a security deposit for rental of real property described as 6328 Miraloma Ct., Las Vegas, NV  
6 89108. An attached lease agreement lists Sun Xi as landlord and Patricia McGraw and Jeffrey S.  
7 Sprague as tenants. On May 11, 2015, Hua Jun, LLC filed a separate claim in the amount of  
8 \$7,340.00 based on several security deposits toward lease or rental of real property. Included in  
9 the attached lease agreements was an agreement for real property described 6328 Miraloma Ct.,  
10 Las Vegas, NV 89108 and lists Sun Xi as landlord and Patricia McGraw and Jeffrey S. Sprague as  
11 tenants. True and correct copies of Claims 815-1 and 579-1 are attached to the Trustee  
12 Declaration as **Exhibit “62”** and **Exhibit “63”**, respectively.

13 41. May 14, 2015, Phylus Swayne filed a claim in the amount of \$2,300.00 based on a  
14 security deposit for rental of real property described as 9882 Ashton Pines Ct. On February 10,  
15 2015, Liyue Yang filed a separate claim in the amount of \$5,297.00 based on several security  
16 deposits toward lease or rental of real property. Included in the attached lease agreements is an  
17 agreement for real property described 8005 Reale Cir., Las Vegas, NV 89145 and lists Liyue  
18 Yang as landlord and Phylus Frazier Swayne and Phylus Inez Swayne as tenants. True and correct  
19 copies of Claims 834-1 and 27-1 are attached to the Trustee Declaration as **Exhibit “64”** and  
20 **Exhibit “65”**, respectively.

21 42. On May 14, 2015, Carla Zvosec filed a claim claiming priority under 11 U.S.C. §  
22 507(a)(7) in the amount of \$1,295.00 based on deposit toward purchase, lease or rental of real  
23 property described as 1628 Remembrance Hill St., Las Vegas, NV 89144. An attached lease  
24 agreement lists Qingmeng Liu and Huaying Tong as landlord and Carla Zvosec as tenant. On  
25 May 8, 2015, Qingmeng Liu and Huaying Tong filed a a separate claim in the amount of in the  
26 amount of \$2,520.00 based on a security deposit for rental of real property described as 1628  
27 Remembrance Hill St., Las Vegas, NV 89144. An attached lease agreement lists Qingmeng Liu  
28 and Huaying Tong as landlord and Carla Zvosec as tenant. True and correct copies of Claims 816-

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1 1 and 377-1 are attached to the Trustee Declaration as **Exhibit “66”** and **Exhibit “67”**,  
2 respectively.

3 43. May 14, 2015, Luwona Gonzales and Michael Damm filed a claim in the amount  
4 of \$1,825.00 based on a security deposit for rental of real property described as 4560 Flaming  
5 Ridge, Las Vegas, NV 89147. An attached lease agreement lists Jun-Fang Zhou as landlord and  
6 Luwona R. Gonzales and Michael Anthony SR Damm as tenants. On May 11, 2015, Jun-Fang  
7 Zhou filed a separate claim claiming priority under 11 U.S.C. § 507(a)(7) in the amount of  
8 \$1,825.00 based on deposit toward purchase, lease or rental of real property described as 4560  
9 Flaming Ridge, Las Vegas, NV 89147. An attached lease agreement lists Jun-Fang Zhou as  
10 landlord and Luwona R. Gonzales and Michael Anthony SR Damm as tenants. True and correct  
11 copies of Claims 833-1 and 581-1 are attached to the Trustee Declaration as **Exhibit “68”** and  
12 **Exhibit “69”**, respectively.

13 44. On May 14, 2015, Stephanie Shamo filed a claim claiming priority under 11  
14 U.S.C. § 507(a)(7) in the amount of \$1,350.00 based on deposit toward purchase, lease or rental  
15 of real property described as 11477 Parkersburg Ave., Las Vegas, NV 89138. An attached lease  
16 agreement lists Fanny Li as landlord and Stephanie Shamo as tenant. On May 12, 2015, Fanny Li  
17 filed a separate claim claiming priority under 11 U.S.C. § 507(a)(7) in the amount of \$2,050.00  
18 based on deposit toward purchase, lease or rental of real property described as 11477 Parkersburg  
19 Ave., Las Vegas, NV 89138. 11477 Parkersburg Ave., Las Vegas, NV 89138. True and correct  
20 copies of Claims 914-1 and 717-1 are attached to the Trustee Declaration as **Exhibit “70”** and  
21 **Exhibit “71”**, respectively.

22 45. On May 14, 2015, Christopher Rodacker filed a claim claiming priority under 11  
23 U.S.C. § 507(a)(7) in the amount of \$1,540.83 based on deposit toward purchase, lease or rental  
24 of real property described as 4461 French Landing Rd. North Las Vegas, NV 89031. An attached  
25 lease agreement lists Yong Chen and Patty Zheng as landlords and Christopher Edward Rodacker  
26 and Brady Ray Warren as tenants. On May 8, 2015, Yong Chen and Patty Zheng filed a separate  
27 claim in the amount of in the amount of \$1,850.00 based on a security deposit for rental of real  
28 property described as 4461 French Landing Rd. North Las Vegas, NV 89031. An attached lease

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1 agreement lists Yong Chen and Patty Zheng as landlords and Christopher Edward Rodacker and  
2 Brady Ray Warren as tenants. True and correct copies of Claims 921-1 and 387-1 are attached to  
3 the Trustee Declaration as **Exhibit “72”** and **Exhibit “73”**, respectively.

4 46. On May 20, 2015, Deborah Campo filed a claim in the amount of \$3,375.00 based  
5 on a security deposit for rental of real property described as 11768 Del Sur, Las Vegas, NV  
6 89138. On May 8, 2015, Ji Song Cui & Gaochao Zhou filed a separate claim in the amount of in  
7 the amount of \$5,246.00 based on a security deposit for rental of real property described as 11768  
8 Del Sur, Las Vegas, NV 89138. An attached lease agreement lists Ji Song Cui & Gaochao Zhou  
9 as landlords and Deborah Campo and Mildred DeCarlo as tenants. True and correct copies of  
10 Claims 924-1 and 420-1 are attached to the Trustee Declaration as **Exhibit “74”** and **Exhibit**  
11 **“75”**, respectively.

12 47. On October 23, 2015, Herman Harper filed a claim claiming priority under an  
13 unspecified section of 11 U.S.C. § 507(a) in the amount of \$2,200.00 based on deposit toward  
14 purchase, lease or rental of real property described as 2116 Mountain Rock Ct., North Las Vegas,  
15 NV 89031. On May 8, 2015, Sherry Yu Wen and Young Wen filed a separate claim in the amount  
16 of \$8,770.00 based on several security deposits toward lease or rental of real property. Included in  
17 the attached lease agreements was an agreement for real property described as 2116 Mountain  
18 Rock Court, N. Las Vegas, NV 89031 and lists Sherry Yu Wen and Young Wen as landlord and  
19 Herman Harper and Deborah Ann Stuart as tenants. True and correct copies of Claims 929-1 and  
20 464-1 are attached to the Trustee Declaration as **Exhibit “76”** and **Exhibit “77”**, respectively.

21 48. On November 12, 2015, Allen Blankenship filed a claim claiming priority under  
22 11 U.S.C. § 507(a)(7) in the amount of \$1,150.00 based on deposit toward purchase, lease or  
23 rental of real property described as 3421 Barada Heights Ave., North Las Vegas, NV 89081. An  
24 attached lease agreement lists William See as landlord and Allen Blankenship as tenant. On May  
25 11, 2015, William See filed a separate claim in the amount of \$7,768.00 based on several security  
26 deposits toward lease or rental of real property. Included in the attached lease agreements was an  
27 agreement for real property described 3421 Barada Heights Ave., North Las Vegas, NV 89081  
28 and lists William See as landlord and Allen Blankenship as tenant. True and correct copies of

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1 Claims 930-1 and 607-1 are attached to the Trustee Declaration as **Exhibit “78”** and **Exhibit**  
2 **“79”**, respectively.

3 49. On February 10, 2020, the Court entered an *Order Granting Ex Parte Motion to*  
4 *Permit the Joinder of Objections to Proofs of Claim Pursuant to Federal Rule of Bankruptcy*  
5 *Procedure 3007(c)* [ECF No. 306].

6 50. The Trustee has examined claims 6-1, 7-1, 15-1, 18-1, 32-1, 34-1, 40-1, 41-1, 49-  
7 1, 59-1, 60-1, 72-1, 83-1, 86-1, 87-1, 97-1, 113-1, 115-1, 118-1, 119-1, 123-1, 128-1, 163-1, 231-  
8 1, 292-1, 293-1, 296-1, 338-1, 527-1, 612-1, 704-1, 813-1 , 815-1, 833-1, 834-1, 914-1, 921-1,  
9 924-1, 929-1, and 930-1 and that these claims were filed by various tenants arising out of security  
10 deposits for the rental or lease of real property.

11 51. The Trustee has determined that the landlords with respect to the lease agreements  
12 involved in claims 6-1, 7-1, 15-1, 18-1, 32-1, 34-1, 40-1, 41-1, 49-1, 59-1, 60-1, 72-1, 83-1, 86-1,  
13 87-1, 97-1, 113-1, 115-1, 118-1, 119-1, 123-1, 128-1, 163-1, 231-1, 292-1, 293-1, 296-1, 338-1,  
14 527-1, 612-1, 704-1, 813-1 , 815-1, 833-1, 834-1, 914-1, 921-1, 924-1, 929-1, and 930-1 have all  
15 filed proofs of claims asserting a claim based upon a security deposit for the rental or lease of real  
16 property.

17 52. Accordingly, the Trustee has determined that claims 6-1, 7-1, 15-1, 18-1, 32-1, 34-  
18 1, 40-1, 41-1, 49-1, 59-1, 60-1, 72-1, 83-1, 86-1, 87-1, 97-1, 113-1, 115-1, 118-1, 119-1, 123-1,  
19 128-1, 163-1, 231-1, 292-1, 293-1, 296-1, 338-1, 527-1, 612-1, 704-1, 813-1 , 815-1, 833-1, 834-  
20 1, 914-1, 921-1, 924-1, 929-1, and 930-1 are duplicate claims, and should thus be disallowed.

21 53. The Trustee now seeks an order disallowing claims 6-1, 7-1, 15-1, 18-1, 32-1, 34-  
22 1, 40-1, 41-1, 49-1, 59-1, 60-1, 72-1, 83-1, 86-1, 87-1, 97-1, 113-1, 115-1, 118-1, 119-1, 123-1,  
23 128-1, 163-1, 231-1, 292-1, 293-1, 296-1, 338-1, 527-1, 612-1, 704-1, 813-1 , 815-1, 833-1, 834-  
24 1, 914-1, 921-1, 924-1, 929-1, and 930-1.

25 **IV. LEGAL ARGUMENT**

26 **A. The Standard For Disallowance of Proofs of Claim**

27 Pursuant to section 502, a filed proof of claim is deemed allowed, unless a party in interest  
28 objects thereto. *See* 11 U.S.C. § 502(a). The United States Court of Appeals for the Ninth Circuit

1 has described the obligations of a creditor in establishing their claim and the burdens relating to  
2 proofs of claim objections:

3 Inasmuch as Rule 3001(f) and section 502(a) provide that a claim or  
4 interest as to which proof is filed is "deemed allowed," the burden  
5 of initially going forward with the evidence as to the validity and  
6 the amount of the claim is that of the objector to that claim. In short,  
7 the allegations of the proof of claim are taken as true. **If those**  
8 **allegations set forth all the necessary facts to establish a claim**  
9 **and are not self-contradictory, they prima facie establish the**  
10 **claim.** Should objection be taken, the objector is then called upon to  
11 produce evidence and show facts tending to defeat the claim by  
12 probative force equal to that of the allegations of the proofs of claim  
13 themselves. But **the ultimate burden of persuasion is always on**  
14 **the claimant.** Thus, it may be said that the proof of claim is some  
15 evidence as to its validity and amount.

16 *Wright v. Holm (In re Holm)*, 931 F.2d 620, 623 (9th Cir. 1991) (quoting 3 L. King, COLLIER ON  
17 BANKRUPTCY § 502.02, at 502-22 (15th ed. 1991)) (emphasis removed) (emphasis added); *see*  
18 *also Lundell v. Anchor Constr. Specialists, Inc.*, 223 F.3d 1035, 1040 (9th Cir. 2000) (holding that  
19 the bankruptcy court correctly understood that the ultimate burden of persuasion was on the  
20 creditor); *Spencer v. Pugh (In re Pugh)*, 157 B.R. 898, 901 (B.A.P. 9th Cir. 1993) (holding  
21 claimant bears ultimate burden of persuasion as to validity and amount of the claim by a  
22 preponderance of the evidence). Accordingly, to be entitled to prima facie validity of a claim, a  
23 proof of claim must set forth all necessary facts to establish the claim. *Wright*, 931 F.2d at 623.  
24 Furthermore, the ultimate burden is always on the claimant, and a claim must be denied if the  
25 claimant cannot carry this burden after an objection showing facts tending to defeat the claim. *Id.*  
26 If the objector produces sufficient evidence to negate one or more of the sworn facts in the proof  
27 of claim, the burden reverts to the claimant to prove the validity of the claim by a preponderance  
28 of the evidence. *See Lundell*, 223 F.3d at 1039 (citations omitted).

29 In accordance with Section 502(b), the validity and amount of the claim shall be  
30 determined as of the date of the filing of the bankruptcy petition. Section 502(b)(1) requires  
31 disallowance of a claim if "such claim is unenforceable against the debtor and property of the  
32 debtor, under any agreement or applicable law for a reason other than because such claim is  
33 contingent or unmaturing . . ." 11 U.S.C. § 502(b)(1). The "applicable law" referenced in Section

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1 502(b)(1) includes bankruptcy law as well as other federal and state laws. A trustee is therefore  
2 allowed to raise any federal or state law defenses to a claim. *See In re G.I. Indus., Inc.*, 204 F.3d  
3 1276, 1281 (9th Cir. 2000) (stating that a claim cannot be allowed under Section 502(b)(1) if it is  
4 unenforceable under nonbankruptcy law); *Johnson v. Righetti*, 756 F.2d 738, 741 (9th Cir. 1985)  
5 (finding that the validity of the claim may be determined under state law); *In re Eastview Estates*  
6 *II*, 713 F.2d 443, 447 (9th Cir. 1983) (applying California law).

7 **B. The Tenant Claims Should be Disallowed as they are Duplicative of the Landlord**  
8 **Claims.**

9 Section 502(b) provides several grounds upon which a party can object to a proof of  
10 claim, including if “such claim is unenforceable against the debtor and property of the debtor,  
11 under any agreement or applicable law for a reason other than because such claim is contingent or  
12 unmatured.” *See* 11 U.S.C. § 502(b)(1). Here, the tenant claims should be disallowed in their  
13 entirety because they are a duplicate of the landlord claims.

14 Nevada law defines “Security” as follows:

15 Any payment, deposit, fee or charge that is to be used for any of  
16 the following purposes is “security” and is governed by the  
provisions of this section and NRS 118A.242 and 118A.244:

- 17 (a) Remediating any default of the tenant in the payments of  
18 rent.
- 19 (b) Repairing damages to the premises other than normal wear  
20 caused by the tenant.
- 21 (c) Cleaning the dwelling unit.

22 N.R.S. 118A.240

23 N.R.S. § 118A.242(4) provides in pertinent part, “Upon termination of the tenancy by  
24 either party for any reason, the landlord may claim of the security . . . only such amounts as are  
25 reasonably necessary to remedy any default of the tenant in the payment of rent, to repair  
26 damages to the premises caused by the tenant other than normal wear and to pay the reasonable  
27 costs of cleaning the premises. The landlord shall provide the tenant with an itemized written  
28 accounting of the disposition of the security . . . and return any remaining portion of the security



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1 to the tenant no later than 30 days after the termination of the tenancy by handing it to the tenant  
2 personally at the place where the rent is paid, or by mailing it to the tenant at the tenant’s present  
3 address or, if that address is unknown, at the tenant’s last known address.” In the event a landlord  
4 fails to return any remainder of a security deposit within 30 days after the tenancy has ended the  
5 landlord is liable for damages. *See* N.R.S § 118A.242(6). These damages include an amount equal  
6 to the entire deposit and a sum that is to be fixed by the court of not more than the amount of the  
7 entire deposit. *Id.*

8 The Debtor filed for bankruptcy protection over three years ago and presumably a number  
9 of leases have expired. Although the alleged embezzlement of approximately One Million One  
10 Hundred Thousand Dollars (\$1,100,000) of the Security Deposits was not the fault of the various  
11 homeowners and landlords, they are still liable to their tenants for the return of the security  
12 deposits in accordance with Nevada law. *See* N.R.S § 118A.242. For this reason, in the event a  
13 landlord and tenant have both filed a proof of claim relating to the same security deposit, the  
14 Trustee believes that it would be equitable to allow the claim of the landlord and disallow the  
15 claim of the tenant who has recourse against a landlord that fails to return a security deposit as  
16 required under Nevada law. Accordingly, the Trustee now seeks an order disallowing the claims  
17 as they are a duplicate of the landlord claims. The Trustee asks that this disallowance be without  
18 prejudice to the tenants’ right to seek recourse against the various landlords in accordance with  
19 the laws of the state of Nevada.

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**V. CONCLUSION**

For the foregoing reasons, the Trustee respectfully requests that the Court enter an order: (i) sustaining the Objections to claim numbers 6-1, 7-1, 15-1, 18-1, 32-1, 34-1, 40-1, 41-1, 49-1, 59-1, 60-1, 72-1, 83-1, 86-1, 87-1, 97-1, 113-1, 115-1, 118-1, 119-1, 123-1, 128-1, 163-1, 231-1, 292-1, 293-1, 296-1, 338-1, 527-1, 612-1, 704-1, 813-1 , 815-1, 833-1, 834-1, 914-1, 921-1, 924-1, 929-1, and 930-1; and (ii) for such other and further relief as is just and proper.

Dated this 14th day of August, 2020.

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